

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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HYDRENTRA HLP INT. LIMITED,

Plaintiffs,

vs.

WGCZ, S.R.O., et al.,

Defendants.

2:15-cv-01250-LDG-NJK

ORDER

Pending before the Court is Plaintiff's motion for an extension of time to serve summons and complaint, or alternatively to dispense with the 120-day service requirement in Rule 4(m). Docket No. 13.

This is a copyright infringement action. *Id.* Plaintiff represents that Defendant is a corporation chartered in the Czech Republic. *Id.* Plaintiff argues that Rule 4(m)'s 120-day service deadline does not apply to service in a foreign country, and, therefore, seeks an order from the Court dispensing with the Rule 4(m) deadline or extending it. *Id.* The Rule 4(m) deadline expires today, October 30, 2015. *See* Docket No. 1.

"By its terms, Rule 4(m) does not apply to service in a foreign country, and Rule 4(m)'s 120-day limit does not govern service of a foreign defendant." *Panliant Fin. Corp. v. ISEE3D*, 2014 WL 7368847, at *5 (D. Nev. Dec. 29, 2014) (citing *Lucas v. Natoli*, 936 F.2d 432, 432-33 (9th Cir.1991) (per curiam)). "Rather, Rule 4(h)(2) and Rule 4(f) govern service on a foreign corporation." *Id.* "Neither . . . contain an express time limit for service." *Id.*

"Although the 120-day service period set forth Rule 4(m) does not apply to service of process on an individual or corporation in a foreign country, the Court is not precluded from setting a reasonable time limit for service in a foreign country so that it can properly manage a civil case."

1 *Karimi v. Poker Media Sys. SAS*, 2013 WL 4048578, at *2 (D. Nev. Aug. 8, 2013) (citing *Baja*
2 *Developments LLC v. TSD Loreto Partners*, 2009 WL 2762050 (D. Ariz. Aug. 28, 2009) (citations
3 omitted)); *Panliant Fin. Corp.*, 2014 WL 7368847, at *5 (D. Nev. Dec. 29, 2014) (dismissing case
4 for failure to comply with Court-set service deadline of foreign defendants).

5 Consistent with *Karimi*, *Baja Developments*, and *Panliant*, the Court finds it appropriate to
6 set a reasonable time limit for service so that it can properly manage this case. Here, Plaintiff has
7 shown that it is actively trying to pursue this litigation and, although it needs more time, it has made
8 progress in attempting to serve Defendants. *See* Docket No. 13 at 11-17. Therefore, good cause
9 exists to extend the service deadline. Accordingly, the Court **GRANTS** Plaintiff an additional 180
10 days to properly serve Defendants. Plaintiff must serve Defendants and file proof of service with
11 the Court no later than April 29, 2016.

12 IT IS SO ORDERED.

13 DATED: October 30, 2015

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17 NANCY J. KOPPE
18 United States Magistrate Judge
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